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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 LYLE CONWAY,

12 Defendant.

CASE NO. CR14-5135BHS

ORDER

13 This matter comes before the Court on the Defendant's unopposed motion for an order
14 continuing the pre-trial motions due date and trial date. The Court, having considered the motion
15 and declaration filed by defense counsel and the Defendant's speedy trial waiver, makes the
16 following findings of fact and conclusions of law:

17 1. Defense counsel recently received over four hundred pages of discovery and needs
18 additional time to review discovery, to investigate the case, including but not limited to
19 conducting interviews, meeting with Defendant and requesting additional discovery.

20 2. The defense needs additional time to explore all relevant issues and defenses
21 applicable to the case, which would make it unreasonable to expect adequate preparation for
22 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation his defense, to explore resolution of this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

5. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

6. Defendant waived speedy trial through September 30, 2014.

NOW, THEREFORE, IT IS HEREBY ORDERED

That the trial date is continued from May 27, 2014, to September 2, 2014, at 9:00 a.m. Pretrial Conference is set for August 25, 2014, at 1:30 p.m. Pretrial motions are due by July 30, 2014. The resulting period of delay from April 16, 2014, to September 2, 2014, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

Dated this 21st day of April, 2014.


BENJAMIN H. SETTLE
United States District Judge